

May 8, 2017

Ex Parte

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Use of Spectrum Bands Above 24 GHz for Mobile Radio Services, GN Docket No. 14-177; IB Docket No. 15-256; RM-11664; WT Docket No. 10-112; IB Docket No. 97-95.

Dear Ms. Dortch,

On May 4, 2017, Danielle Piñeres of NCTA – The Internet & Television Association, Austin Bonner, and I, both of Harris, Wiltshire & Grannis LLP, met with Julius Knapp, Michael Ha, Bahman Badipour and Nicholas Oros, all of the Office of Engineering and Technology, and, separately, with Neşe Guendelsberger, Blaise Scinto, Joel Taubenblatt, and Catherine Schroeder, all of the Wireless Telecommunications Bureau. During these meetings, we emphasized that NCTA's members remain very interested in deploying unlicensed services in the 64-71 GHz band and that this band is critical to maintaining the Commission's commitment to a balanced spectrum policy that promotes rapid deployment of competitive, next-generation unlicensed technologies. Chip manufacturers, technology companies, network operators, and public interest advocates all supported the Commission's decision to designate this band for unlicensed use.

Despite the FCC's unanimous decision, despite the investments unlicensed companies are making, and despite winning access to far more attractive bands in lower frequencies, a small set of companies are asking the Commission to reverse course and claw back some of this spectrum for licensed use. The Commission should continue to reject these companies' request that the Commission compare units of spectrum across frequency bands, which would treat the 24 and 39 GHz bands as interchangeable with the 64 GHz band. As underscored by the attached chart, each band has different characteristics that make one-for-one comparisons incorrect. Granting the carriers' petitions for reconsideration would significantly reduce the spectrum available for unlicensed technologies, jeopardizing investments already in progress and deterring further development of high-band unlicensed devices and services. The Commission should not now reverse its well-considered decision to designate the band for unlicensed use. However, the Commission should roll back the cybersecurity reporting requirement, which was inadequately noticed and which would impose substantial compliance costs on network operators. Finally, as the Commission considers the Spectrum Frontiers Further Notice of Proposed Rulemaking, it should build on that success by extending the 64-71 GHz band to 72.5 GHz and authorizing unlicensed use in the 71-76 GHz and 81-86 GHz bands.

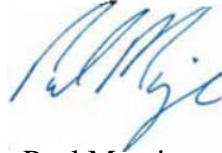
Marlene H. Dortch

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Pursuant to the FCC's rules, we have filed a copy of this notice electronically in the above-referenced docket. If you require any additional information, please contact the undersigned.

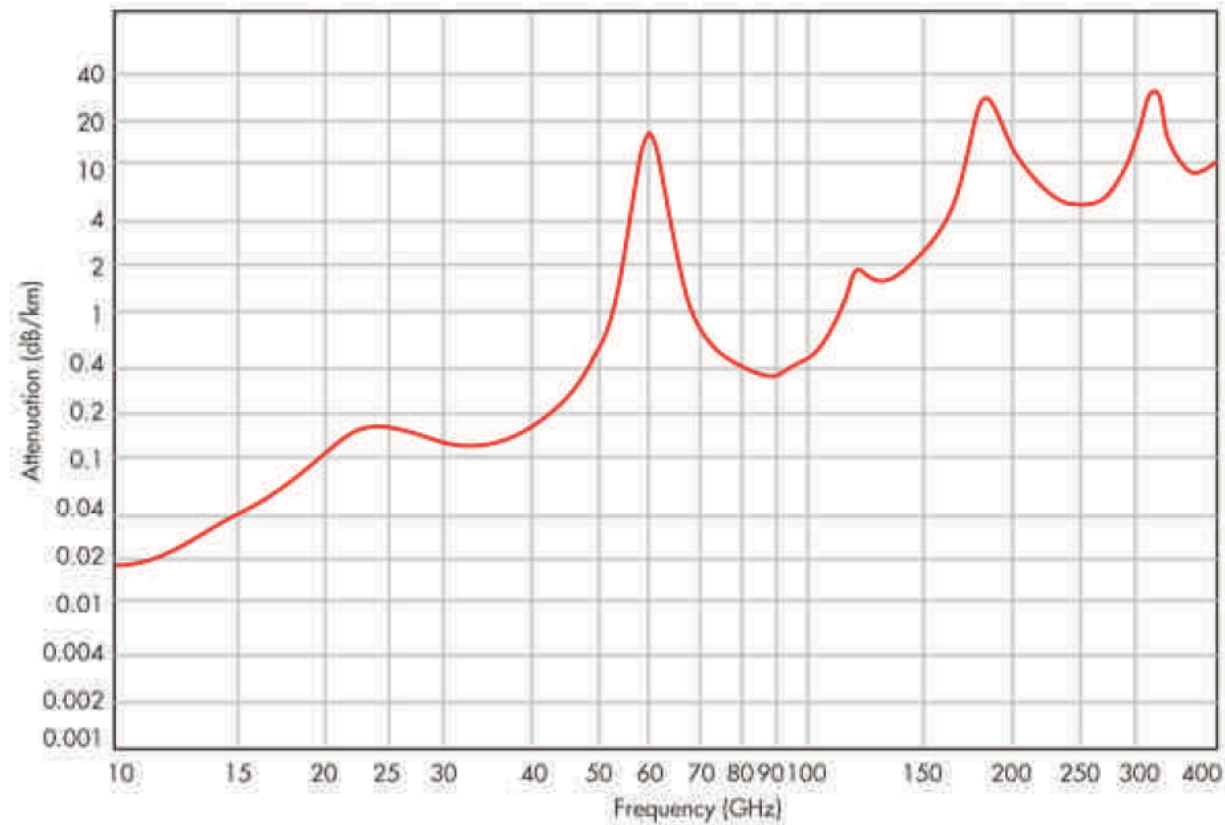
Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Margie".

Paul Margie
Counsel to NCTA

cc: meeting participants

ATMOSPHERIC ABSORPTION IN THE MM WAVE BANDS



Millimeter Wave Signal Attenuation Characteristics Based on Oxygen and Water Absorption (Source: Dynamic Spectrum Alliance Comments at 3, citing Penton Electronics, <http://electronicdesign.com/communications/millimeter-waves-will-expand-wireless-future>)

Source: *Use of Spectrum Bands above 24 GHz, et al., Report and Order and FNPRM, 31 FCC Rcd 8014 (2016)*